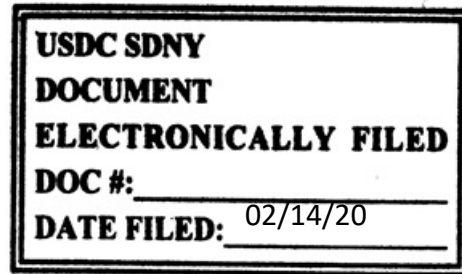




U.S. Department of Justice

United States Attorney  
Southern District of New York86 Chambers Street  
New York, New York 10007**By ECF**The Honorable Katherine H. Parker  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007Re: *Viera as Executor of Avilez v. United States*, 18 Civ. 9270 (KHP)

Dear Judge Parker:

This Office represents the United States in this medical malpractice action brought under the Federal Tort Claims Act, which the Court recently set for trial to commence on June 22, 2020. I write respectfully with the consent of opposing counsel to request an adjournment of the trial date, due to conflicts that have arisen upon further review of the Government trial counsel and experts' schedules. After consulting with Plaintiff's counsel about his and Plaintiff's experts' availabilities, we request that the Court enter a trial date for this matter for one of the weeks beginning August 3 or August 10, 2020. In the event a new date is set, the parties also respectfully ask for an appropriate adjournment of the final pretrial conference, currently set for May 19, 2020, and of the pretrial briefing deadline, currently May 5, 2019.

We apologize for the delay that this adjournment would cause, but good-faith discussions with Plaintiff indicate that due to counsel and experts' summer travel and other trial schedules, including Plaintiff's counsel's travel discussed at the conference held this week, the requested dates are the earliest that are feasible. This is the first request for an adjournment of these dates. We thank the Court for its consideration of this request.

The parties' application is granted. The deadline for pre-trial briefing and joint pre-trial order is hereby extended to **June 22, 2020**. Opposition briefs shall be filed by **June 29, 2020**. The final pre-trial conference is adjourned to **July 7, 2020**. The start of trial is hereby adjourned to **August 10, 2020**.

Respectfully,

GEOFFREY S. BERMAN  
United States AttorneyBy: /s/ Stephen Cha-Kim  
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02/14/20

  
HON. KATHARINE H. PARKER  
UNITED STATES MAGISTRATE JUDGEcc: Attorney for Plaintiff  
(By ECF)